

Case No. 5:07 CV 59

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FCI Gilmer Satellite Camp
P.O. Box 7000
Glenville, WV 26351

Judge Seibert

P.O. Box 471

Wheeling, WV 26003-0060

Dear Judge Seibert,

I am writing to register a conflict of opinion with you on your decision not to give me counsel. This probably is something that has not dawned upon you.

I was originally found guilty of having weapons and being a mental defective (Count 2). If I am a mental defective (a simple mind, feeble minded, unable to put thoughts together, unable to put words together, etc (as the laws define)) then I am incapable of defending myself and preparing the motions properly. Whether I am or whether I was found guilty of this to discredit me is another issue which you can address on the situation of illegal sentence.

Next, I am on allot of medication which does affect my comprehension and abilities sometime, this combined with my widely fluctuating blood pressure.

On the issue "to ban" from removing me from camp. I complained that the CO's were smoking and that the secretary had destroyed my legal mail in one of my briefs. I was told that that is now the reason I am in the SPECIAL HOUSING UNIT (SHU) (The Hole) [Segregation] to keep me from being able to continue my legal work.

Looking at my case, I would like to point out that I was enhanced unconstitutionally for the number of weapons I had and obstruction, neither was found by a jury or admitted Booker. Further the ATF could not prove the weapons fined. Further, I have recently got all the ATF interviews and what the prosecutor said the witnesses said just was not true.

As far as my charges I admitted nothing that was in my indictment.

Machinegun - I said I had a trigger set and the weapon was not drilled. In an ATF letter (which you have) the ATF states this is no violation.

Silencer - I said was designed for work for an equipment + would not function with a weapon on ~~not~~ my sound requirement. The government could not prove otherwise.

Mental defect - Never any discussion of this issue.

Committed to a Mental Institution - I said I was committed for observation. The hospital discharge papers show I was voluntarily admitted. Neither term is within the meaning of committed to a mental institution per 27 CFR 178.11

I did not plan to anything in the indictment. I had been held in Roanoke City Jail for one year without good medical help and after having a failed quadruple bypass, I was told that if I went with proffers I would get "time served". I said in plea, I had the trigger set but it did not constitute a machinegun, I had a silencer but it was not a firearms silencer, etc.

I just wanted to let you know the circumstances and I did not plan guilty to anything in the indictment and only pled to get decent medical help.

Thanks,

